

REMARKS/ARGUMENTS

Pending claim 18 stands rejected under 35 U.S.C. § 101. Claim 18 has been amended to overcome this rejection. Specifically, claim 18 has been amended to indicate more clearly recite the practical application of the claimed subject matter, namely the processing and output of a combined signal including audio and video. It is thus respectfully submitted that this rejection to claim 18 and the claims depending therefrom is overcome.

Pending claims 12 and 33 stand rejected under 35 U.S.C. §103(a) over U.S. Patent No. 4,964,162 (McAdam) and U.S. Patent No. 5,228,082 (Yanagidaira) and further in view of U.S. Patent No. 5,621,792 (Charton). Applicants respectfully traverse the rejection. As to claim 12, the Office Action concedes that McAdam does not teach a graphics pattern generator to provide a graphics pattern to add to a frame of an analog video signal. Office Action, p. 5. Nor do the secondary references, either alone or in combination, anywhere teach or suggest this claimed subject matter. In this regard, the Office Action contends that Yanagidaira teaches a jamming signal, which the Office Action apparently equates with a graphics pattern. Office Action, p. 5. However, nowhere does Yanagidaira anywhere teach or suggest that its jamming signal is a graphics pattern that is added to a frame of an analog video signal, nor presence of a graphics pattern generator to generate such a (non-existent) graphics pattern. Instead, Yanagidaira merely teaches that a jamming signal is combined with a TV signal, as the jamming signal ("an interference wave or noise") is inserted in a band including a video and audio signal. Yanagidaira, col. 1. Still further, Yanagidaira teaches that its jamming circuit is simply a pair of voltage controlled oscillators (VCOs) that generate jamming signals. However, nowhere does Yanagidaira anywhere teach that such jamming signals are graphics patterns. Nor can it be reasonably contended that the VCO of Yanagidaira anywhere teaches or suggests the recited graphics pattern generator.

With regard to the third reference, Charton, it is unclear what if anything this adds. In this regard, the Office Action merely states that Charton teaches "supplying users with unscrambling devices generate a high cost which is passed to the users and possibly loss of revenue for the broadcaster, in addition to deterioration of the original signal caused by scrambling and unscrambling." Office Action, p. 5. This recitation from Charton nowhere teaches or suggests the missing subject matter of either McAdam or Yanagidaira, nor does it in

anyway provide a motivation or suggestion to combine the references. Accordingly, for at least these reasons, the rejection of claims 12 and 33 is overcome.

Pending claims 18 and 30-32 stand rejected under 35 U.S.C. § 103(a) over McAdam in view of U.S. Patent No. 5,355,410 (Blais) and in further view of Charton. For at least similar reasons discussed above regarding claim 12, the rejection of claim 18 is respectfully traversed. In this regard, the Office Action concedes that McAdam nowhere teaches a device to remove a graphics overlay added to a frame of an analog video signal. Nor does Blais. Instead, Blais merely teaches that a jamming signal is filtered out to provide a desired channel. Nowhere, however does Blais anywhere teach or suggest that this jamming signal, which is removed via a frequency generated by a VCO, is a graphics overlay that is added to a frame of an analog video signal. Accordingly, for at least this reason, claims 18 and 30-32 are patentable.

Pending claims 1 and 28-29 stand rejected under 35 U.S.C. § 103(a) over McAdam and further in view of U.S. Patent No. 5,371,548 (Williams). As to claim 1, the Office Action concedes that McAdam nowhere teaches that a digitally encrypted signal is broadcast using a plurality of overlapping subcarriers. Instead, the Office Action purports to rely on Williams, which the Office Action contends teaches "broadcasting digital data in the vertical blanking interval of a television signal using a plurality of overlapping subcarriers." Office Action, p. 8.

Nowhere however does either Williams or McAdam teach or suggest broadcasting audio and video signals on accompanying subcarriers, as recited by claim 1. That is, the claimed audio signals are not transmitted in the vertical blanking interval as in Williams, but instead as overlapping subcarriers accompanying the subcarrier of the video signal. For at least this reason, claims 1 and 28-29 are patentable. Claims 28 and 29 are further patentable as these claims depend from claim 11, and not claim 1. As the Office Action points to nothing in either McAdam nor Williams with regard to the cited subject matter of intervening dependent claim 11, claims 28 and 29 are patentable for this further reason.

Pending claim 11 stands rejected under 35 U.S.C. § 103(a) over McAdam and Williams and in further view of Yanagidaira and Charton. This rejection is overcome at least for the same reasons discussed above regarding claim 1. Furthermore, for similar reasons described above with respect to the combination of McAdam, Yanagidaira and Charton, none of the cited references anywhere teach or suggest generating an analog video signal that includes a graphical overlay pattern. Accordingly, claim 11 is patentable over the proposed combination.

The rejection of claims 2-5, 13-15 and 19-27 under 35 U.S.C. §103(a) over combinations of three and four or more references are overcome at least for the same reasons discussed above regarding the independent claims from which these claims depend.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

Date: _____

6/29/06



Mark J. Rozman
Registration No. 42,117
TROP, PRUNER & HU, P.C.
1616 S. Voss Road, Suite 750
Houston, Texas 77057-2631
(512) 418-9944 [Phone]
(713) 468-8883 [Fax]
Customer No.: 21906